

ESTTA Tracking number: **ESTTA704636**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No.	79150580
Applicant	Greiner Bio-One GmbH

## Notice of Appeal

Notice is hereby given that Greiner Bio-One GmbH appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79150580.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 009. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Testing apparatus not for medical purposes, namely, testing apparatus for testing diagnostic kits, DNA-chips or DNS-chips; diagnostic apparatus, not for medical purposes, namely, diagnostic apparatus for the detection of pathogens for laboratory or research use; computer software for analyzing diagnostic kits, DNA-Chips or DNS-Chips or for analyzing instruments in the field of diagnostic kits; computer software for controlling and managing patient medical information; computer software for controlling modules for dispensing of liquids, sample processing and/or purification, nucleic acid amplification, signal amplification; DNA chips; DNS chips; chemistry apparatus and instruments, namely, centrifuges and homogenizers
- Class 010. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Surgical apparatus and instruments; medical apparatus and instrument for diagnostic use, namely, medical diagnostic instruments for the analysis of body fluids, blood testing apparatus, immunochemical testing apparatus for medical use, analytical instruments for analyzing diagnostic kits, namely, device for analysis or detection incorporating dispensing of liquids and optical detection or device for the detection or for the analysis of chemicals, nucleic acids and proteins in the nature of instruments and apparatus systems for medical diagnostic uses, sample preparation device, and related data management software sold as a unit, medical apparatus and instrument for diagnostic use, namely, apparatus for medical diagnostic testing, medical diagnostic instruments for the analysis of body fluids, blood testing apparatus, immunochemical testing apparatus for medical use, instrument for diagnostic use comprising controlling modules for dispensing of liquids, sample processing and/or purification, nucleic acid amplification, signal amplification; surgical apparatus and instruments for veterinary use; procedures testing apparatus for medical purposes; diagnostic apparatus for medical purposes, namely, diagnostic apparatus for detection of virus or bacteria; medical blood collection apparatus, namely, empty blood collection tubes for medical purposes; medical blood testing apparatus; needles for medical purposes, in particular for blood collection; medical blood receiving tubules and medical drainage tubules, namely, centrifuge tubules; drainage tubes and cannulas for medical and/or clinical purposes

Respectfully submitted,  
/smd/  
10/27/2015

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